



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

RICCIULLI, Livio

Appl. No.: 10/630,559

Filed: July 30, 2003

Title: **On-Demand Overlay Routing For Computer-Based Communication Networks**

Atty. Dkt. No.: 2711-0012

Group Art Unit: 2445

Confirmation No. 8636

Examiner: NGUYEN, Minh Chau

Date: April 16, 2009

**Mail Stop RCE**

Hon. Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**REQUEST FOR CONTINUED EXAMINATION (RCE)**

This is a request for continued examination (RCE) under 37 CFR 1.114 of the above-identified application. Please continue the examination of this application.

This application is entitled under Rule 114 to withdrawal of any outstanding finality or of any allowance plus a new action by the Examiner. Consideration on the merits of each submission (e.g., IDS, Amendment, new arguments, new evidence, but not appeal/reply briefs themselves) filed herewith or before the new action is respectfully requested.

Please consider the following before the next Official Action:

|   |                                     |  |   |     |  |
|---|-------------------------------------|--|---|-----|--|
| <b>1. Submission required under 37 CFR 1.114:</b> |                                     |  |   |     |  |
| a.  | <input type="checkbox"/>            | <b>Previously submitted.</b> If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.<br>Please <input type="checkbox"/> enter <input type="checkbox"/> do not enter the Amendment filed |   |     |  |
|   | i.                                  | <input type="checkbox"/>   | Consider the arguments in the appeal brief filed and/or reply brief filed<br>04/17/2009 SHOHAMME 00000083 501860 10630559 |     |  |
|   | ii.                                 | <input type="checkbox"/>   | Other: 02 FC:1801 810.00 DA   |     |  |
| b.  | <input checked="" type="checkbox"/> | <b>Enclosed</b>  |   |     |  |
|   | i.                                  | <input checked="" type="checkbox"/>  | Amendment / Reply   | ii. | <input checked="" type="checkbox"/> Information Disclosure Statement |

Continued on next page . . .

## 2. Miscellaneous:

|    |                                     |   |  |
|----|-------------------------------------|---|--|
| a. | <input type="checkbox"/>            | Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required) |  |
| b. | <input checked="" type="checkbox"/> | Other:  | <ul style="list-style-type: none"> <li>• Non-patent literature (NPL) references for IDS</li> <li>• Terminal Disclaimer w.r.t. U.S. Pat. No. 6,473,405</li> </ul> |

## 3. After payment of issue fee:

|                          |   |
|--------------------------|---|
| <input type="checkbox"/> | The issue fee has been paid, but this RCE is based on Rule 313(c)(2). See enclosed petition.  |
|                          | <input type="checkbox"/> IDS Letter <input type="checkbox"/> Cited Appln(s) <input type="checkbox"/> Foreign Search Report/OA<br><input type="checkbox"/> PTO-1449 <input type="checkbox"/> Cited Documents |

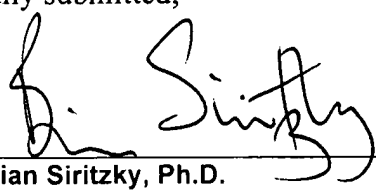
## 4. Fees (The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.):

|     |                                     |   |  |
|-----|-------------------------------------|---|--|
| a.  | <input checked="" type="checkbox"/> | The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. <b>501860</b> , order no. <b>2711-0012</b> . I have enclosed a duplicate copy of this sheet. |  |
| b.  | <input type="checkbox"/>            | Check number _____ in the amount of _____ enclosed  |  |
| i.  | <input checked="" type="checkbox"/> | RCE fee required under 37 CFR 1.17(e)   |  |
| ii. | <input checked="" type="checkbox"/> | <ul style="list-style-type: none"> <li>• Extension of time fee (37 CFR 1.136 and 1.17) [Petition for Extension of Time filed herewith]</li> <li>• Terminal Disclaimer Fee</li> </ul>  |  |

**CHARGE STATEMENT:** Deposit Account No. 501860, order no. 2711-0012.

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached

**This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.**

|   |  |
|---|--|
| CUSTOMER NUMBER<br><br><h1>75948</h1>   | Respectfully submitted,<br><br><br>By: _____<br><b>Brian Siritzky, Ph.D.</b><br>Registration No. 37497 |
| Davidson Berquist Jackson & Gowdey LLP<br>4300 Wilson Blvd., 7th Floor, Arlington, VA 22203<br>Main: (703) 894-6400 • FAX: (703) 894-6430 |  |